

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Alison M. Lorence,

Civil No. 09-473 (DWF/SRN)

Plaintiff,

v.

**ORDER ADOPTING REPORT
AND RECOMMENDATION**

Michael J. Astrue, Commissioner,
of Social Security

Defendant.

Fay E. Fishman, Esq., Peterson & Fishman, counsel for Plaintiff.

Lonnie F. Bryan, Assistant United States Attorney, United States Attorney's Office,
counsel for Defendant.

The above-entitled matter comes before the Court upon the Report and Recommendation of United States Magistrate Judge Susan Richard Nelson dated February 5, 2010. No objections have been filed to that Report and Recommendation in the time period permitted.

Based on the Report and Recommendation of the Magistrate Judge, and all of the files, records and proceedings herein,

IT IS HEREBY ORDERED that:

1. Plaintiff's Motion for Summary Judgment (Doc. No. [13]) is **GRANTED** and the decision of the Commissioner is **REVERSED**.

2. Defendant's Motion for Summary Judgment (Doc. No. [16]) is **DENIED**.
3. The case is **REMANDED** to the Commissioner for an immediate award of benefits.

Dated: February 23, 2010

s/Donovan W. Frank
DONOVAN W. FRANK
United States District Judge